

Teacher Employment Contract Policies

Does state policy allow a teacher to be returned to probationary status as a disciplinary measure or as a professional improvement plan intervention?

July 2020

This metric captures provisions in state policy that would require a teacher with previously earned nonprobationary status to return to probationary status as a disciplinary or improvement measure. Some states require teachers who have received multiple poor evaluations to return to probationary status. This does not include a return to probationary status in cases where a teacher leaves a school or district. View the full 50-State Comparison: Teacher Employment Contract Policies [here](#).

STATE	DOES STATE POLICY ALLOW A TEACHER TO BE RETURNED TO PROBATIONARY STATUS AS A DISCIPLINARY MEASURE OR AS A PROFESSIONAL IMPROVEMENT PLAN INTERVENTION?	CITATION
Alabama	Not specified in state policy.	
Alaska	Not specified in state policy.	
Arizona	Yes. Continuing teachers designated in the lowest performance classification for the current school year become probationary teachers for the subsequent school year and remains classified as such until the performance is designated in either of the two highest performance classifications.	Ariz. Rev. Stat. Ann. § 15-536
Arkansas	Not specified in state policy. However, a school district may provide for one additional year of probationary status by a majority vote of its directors.	Ark. Code Ann. § 6-17-1502
California	Not specified in state policy.	
Colorado	Yes. Nonprobationary teachers are returned to probationary status following two consecutive years of demonstrated ineffectiveness.	Colo. Rev. Stat. Ann. § 22-63-103
Connecticut	Not specified in state policy.	
Delaware	Not specified in state policy.	
District of Columbia	Not specified in state policy.	

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Florida	Yes. Professional services contract teachers are placed on probation if the superintendent charges the teacher with unsatisfactory performance, or the teacher receives two consecutive annual ratings of "unsatisfactory," two ratings of "unsatisfactory" within a 3-year period, or three consecutive ratings of "needs improvement" or a combination of "needs improvement" and "unsatisfactory." Their performance is reevaluated following a 90-day period to implement an improvement plan.	Fla. Stat. Ann. § 1012.335
Georgia	Not specified in state policy	
Hawaii	Not specified in state policy.	
Idaho	Yes. Teachers are entitled to a probationary period for evaluation and supervision before a board of trustees can make a nonrenewal decision.	Idaho Code Ann. § 33-515
Illinois	Not specified in state policy.	
Indiana	Yes. Professional teachers will be returned to probationary status upon receiving a rating of ineffective. Professional teachers who are reclassified as probationary teachers are not subject to a contract cancellation unless the teacher receives another "ineffective" rating the following year, receives two consecutive "improvement necessary" ratings, just cause, or is terminated due to a reduction in force.	IC 20-28-6-7.5 IC 20-28-6-8
Iowa	Not specified in state policy.	
Kansas	Not specified in state policy.	
Kentucky	Not specified in state policy.	
Louisiana	Yes. Tenured teachers who receives a final performance rating of 'ineffective' shall lose tenure and may reacquire tenure if they receive a performance rating of 'highly effective' for 5 years within a 6 year period.	La. Stat. Ann. § 17:442
Maine	Not specified in state policy.	
Maryland	Not specified in state policy.	
Massachusetts	Not specified in state policy.	
Michigan	Not specified in state policy.	
Minnesota	Not specified in state policy.	
Mississippi	Not specified in state policy.	
Missouri	Not specified in state policy.	
Montana	Not specified in state policy.	
Nebraska	Not specified in state policy.	

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Nevada	Yes. Postprobationary teachers who receive an evaluation designating their overall performance as ineffective or developing during 1 year of the 2-year consecutive period and ineffective during the other year of the period for two consecutive school years shall be deemed to be a probationary employee, and must serve an additional probationary period.	Nev. Rev. Stat. Ann. § 391.730
New Hampshire	Not specified in state policy.	
New Jersey	Not specified in state policy.	
New Mexico	Not specified in state policy.	
New York	Not specified in state policy.	
North Carolina	Not specified in state policy.	
North Dakota	Not specified in state policy.	
Ohio	Not specified in state policy.	
Oklahoma	Not specified in state policy.	
Oregon	Not specified in state policy.	
Pennsylvania	Not specified in state policy.	
Puerto Rico	Not specified in state policy.	
Rhode Island	Not specified in state policy.	
South Carolina	Not specified in state policy. However, if a teacher under a continuing contract is dismissed, then a new district may employ the teacher under a continuing or annual contract.	S.C. Code Ann. § 59-26-40
South Dakota	Not specified in state policy.	
Tennessee	Yes. Teachers hired after 07/01/2011 who receive two consecutive performance ratings at or below a rating of "below expectations" will be returned to probationary status. Teachers who have been returned to probationary status is eligible for tenure following two consecutive performance ratings at or above a rating of "above expectations".	Tenn. Code Ann. § 49-5-504
Texas	Yes. Continuing contract teachers may elect to return to probationary status upon written notice of the proposed termination, discharge or non-renewal.	Tex. Educ. Code Ann. § 21.106
Utah	Not specified in state policy.	
Vermont	Not specified in state policy.	
Virginia	Not specified in state policy.	

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Washington	Yes. Continuing contract teachers with less than five years of experience and an evaluation rating of level one and continuing contract teachers with at least five years of experience with two level two ratings within the last three years may be placed on probation. If performance does not improve during the probationary period, the teacher may be dismissed.	Wash. Rev. Code Ann. § 28A.405.100
West Virginia	Not specified in state policy.	
Wisconsin	Not specified in state policy.	
Wyoming	Not specified in state policy.	